Part E: Definitions

DEFINITIONS

The definitions for certain terms as enumerated in the Land Division Act, 1967 PA 288, and Sections 9101 and 9102 of the Soil Erosion and Sedimentation Control Act, Part 91 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, are herein incorporated by reference.

100-Year Flood means a flood which has a 1% chance of occurring in any given year.

Accelerated Soil Erosion means the increased loss of the land surface that occurs as a result of human activities.

Best Management Practices (BMP) means structural, vegetative, or managerial measures or activities which help to achieve soil erosion and sedimentation control objectives.

Check Dam means an earthen or manufactured structure placed perpendicular in a swale or channel which reduces water velocities. The design must follow very specific criteria.

Contractor means any person(s) under written contract with the landowner to perform the described work.

Developer means a person, partnership, or corporation building one building, or building one building for occupancy by other than owner, or creating or developing any parcel of land for any use other than agriculture, or form thereof.

Disturbed Area means an area of land subject to erosion due to the removal of vegetative cover and/or earth moving activities, including filling.

Diversion means a ridge graded to divert water to a specific location. It is normally used to reduce the length of slope that water runs over, thus reducing the erosive speed of the runoff.

Drainage Way means surface or subsurface drains that remove excess surface water or ground water from land.

Earth Change means a human-made change in the natural cover or topography of land, including cut and fill activities, which may result in or contribute to soil erosion or sedimentation of the waters of the State. This includes, but is not limited to, grading and preparation for wells, septic fields (including perimeter drains), driveways, foundations, backfill, final grade changes, and stockpiling of material. This shall apply to all categories of land use. “Earth change” shall not apply to the practice of plowing and tilling soil for the purpose of crop production, ordinary household gardens, or normal maintenance.

Engineer means a professional engineer registered in the State of Michigan.

Erosion means the process by which the land surface is worn away by the action of wind or water.

Erosion Control Permit means a permit issued at the Office of the Livingston County Drain Commissioner; also called a Grading Permit.

Existing Grade means the vertical location of the existing ground surface prior to excavating or filling.

Finished Grade means the final grade or elevation of the ground surface conforming to the proposed design.

Grading means any stripping, excavating, filling including hydraulic fill, stockpiling, or any combination thereof and shall include the land in its excavated or filled condition.

Grading Permit means a permit issued to authorize work to be performed under these rules; also called an Erosion Control Permit.

Gully means a deep cut formation in the soil that is the result of erosive water velocity. A gully begins as a rill formation.

Impervious Surface means roof-tops, parking areas, and other surfaces which do not allow water to infiltrate into the ground.

Infiltration means the absorption of water into the ground.

Lake means the Great Lakes and all natural and artificial inland lakes and/or impoundments that have definite banks, a bed, and visible evidence of continued occurrence of water and a surface area of water that is equal to or greater than one acre. This does not include sediment basins and lakes constructed for the sole purpose of cooling water or for treating polluted water.

Landowner means the person who owns or holds a recorded easement on the property or who is engaged in construction in a public right-of-way. It includes a designated agent who has written authorization from the landowner to sign the application and secure a permit in the landowner's name.

Major Project means earth changes that meet or exceed one (1) acre.

Minor Project means earth changes that are less than one (1) acre and are within 500 feet of surface water.

Natural Land Surface means the land surface in its original state before grading, stripping, excavation, or filling.

Non-Erosive Velocity means the speed of water flow which is not likely to erode and dislodge soil particles.

Non-Point Source Pollution means pollution that is washed off the surface of land and impervious surfaces. Unlike point source pollution such as an outlet pipe of a factory, non-point has numerous sources such as automobile drippings, pesticides, and herbicides from lawns and crop fields, etc.

Permanent Soil Erosion and Sediment Control Measures means control measures installed or constructed to control erosion and sedimentation and maintained after project completion.

Permanent Stabilization is defined as pavement, rock, or established grass installed in a manner so as to prevent soil movement or loss from erosive forces such as rain, wind, and human activities.

Permitee means any person to whom a permit is issued pursuant to these rules.

Person means, in addition to any other meaning it may have under this Subtitle, an individual, a corporation, a partnership, an incorporated association, an agency, or any other similar entity whatsoever.

Professional Engineer means an engineer duly registered by the State of Michigan to practice professional engineering.

Rill means a shallow cut formation in the soil that is the result of erosive water velocities.

Rip Rap means large and small stone or aggregate used to reduce water velocity at the outlet of a pipe. The correct installation requires a riprap cloth be laid on the ground prior to the stone placement to best secure soil.

Runoff means water that is not absorbed by plants or infiltrated into the soil but runs off the surface of the ground to the lowest point.

Sediment means soils or other surfacial materials relocated by wind or surface water as a product of erosion.

Single Family Dwelling means a building construction for the sole purpose of housing the members of one immediate family.

Site means any lot or parcel of land, or combination of contiguous lots or parcels of land, where grading is performed or permitted.

Stabilize means to fix, or firmly establish, whether by vegetative or mechanical means, for the purpose of these rules referring to soils.

Soil means all earth material of whatever origin that overlies bedrock, and including, but not limited to, the decomposed zone of bedrock which can be readily excavated by mechanical equipment.

Steep Slope means a slope over fifteen percent grade which is characterized by increase run-off, erosion, and sediment hazards.

Storm Drain means a conduit, pipe, natural channel, or human-made structure which serves to transport storm water runoff.

Stream means a river, creek, storm drain, or other watercourse which may or may not be serving as a drain as defined in Act No. 40, of the Public Acts of 1956, as amended, which has definite banks, a bed, and visible evidence of continued flow or continued occurrence of water, including the connecting waters of the Great Lakes.

Stripping means any activity which removes the vegetative surface cover including tree removal, sod, clearing, grubbing, and storage or removal of top soil.

Swale means a natural or human made depression shaped as a channel to route runoff water.

Temporary Soil Erosion and Sediment Control Measures means interim control measures which are installed or constructed to control soil erosion or sedimentation until permanent soil erosion control measures are established.

Vegetative Cover means grasses, shrubs, trees, and other vegetation which holds and stabilizes soils.

Water Course means any natural or artificial water course including, but not limited to; streams, rivers, creeks, ditches, channels, canals, conduits, culverts, drains, watercourses, gullies, ravines, or washes which has definite banks, a bed, and in which waters flow in a definite direction or course, either continuously or intermittently, and including any area adjacent thereto which is subject to inundation by reason of water flow or floodwater.

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